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MALLETIER, CHANEL, INC. and  
PRADA, S.A.

**FILED**  
DISTRICT COURT OF GUAM  
**MAY - 5 2003**  
MARY L. M. MDRAN  
CLERK OF COURT

2

UNITED STATES DISTRICT COURT OF GUAM

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

LOUIS VUITTON MALLETIER and  
CHANEL, INC., and PRADA, S.A.

Plaintiffs,

vs.

VENDOR DOE I, aka U.S.A. T-SHIRTS  
AND GIFT ITEMS, VENDOR DOE II,  
aka SU KIM, VENDOR DOE III, and  
DOES I THROUGH XX,

Defendants.

CIVIL CASE NO.

**03-00013**

**PLAINTIFFS' EX PARTE APPLICATION  
FOR TEMPORARY RESTRAINING  
ORDER, SEIZURE ORDER, ORDER TO  
SHOW CAUSE FOR PRELIMINARY  
INJUNCTION, ORDER SEALING FILE  
AND ORDER ACCELERATING  
DISCOVERY**

Plaintiffs Louis Vuitton Malletier, Chanel Inc. and Prada S.A. ("Plaintiffs") move this Court, pursuant to 15 U.S.C. §1116, Rules 30, 34 and 65 of the Federal Rules of Civil Procedure, and L.R. 7.1(j) and request an expedited ex parte hearing therefor, for an order (1) temporarily restraining defendants and all those acting in concert and/or participation with them, from selling, distributing, offering for sale or using in any manner or disposing of items bearing Plaintiffs' trade names or trademarks or any of Plaintiffs' registered trademarks and logos, or any imitations or copies thereof,

during the pendency of this action; (2) directing the seizure and impoundment of items in defendants' possession, custody or control which infringe Plaintiffs' trade names or trademarks and/or logos, which are used to manufacture infringing trademarks and/or logos and, which are used to manufacture infringing merchandise; (3) to show cause why a preliminary injunction should not be issue; (4) sealing the Court file until the hearing on the Court's order to show cause why a preliminary injunction should not issue in this case, and (5) for accelerated discovery.

This application is made pursuant to the Trademark Counterfeiting Act of 1984 (15 U.S.C. § 1116(d)), Rules 34, 64 and 65 of the Federal Rules of Civil Procedure, and L.R. 7.1(j). This application is based on the grounds that (i) defendants' acts of trademark infringement and unfair competition are causing irreparable injury to Plaintiffs and are in violation of the Lanham Act, 15 U.S.C. § 1051 et seq., and the common law, and (ii) giving advance notice of this application to defendants or the failure to impound temporarily the infringing merchandise will cause irreparable injury and frustrate the relief Plaintiffs seek in this action. Plaintiffs are prepared to post \$2,500.00 as a security bond for issuance of the temporary restraining and seizure order.

This application is based on the Verified Complaint, the accompanying memorandum of points and authorities, and the Declarations of Hajime Mitsuoka, Patricia D. Untalan, Regina Terlaje, Anita P. Arriola, and exhibits attached thereto, such matters of which this Court may take judicial notice and such evidence and argument as may be presented at the hearing.

Dated this 5<sup>th</sup> day of May, 2003.

ARRIOLA, COWAN & ARRIOLA  
Counsel for Plaintiffs LOUIS VUITTON  
MALLETIER, CHANEL INC. AND PRADA  
S.A.

BY: Anita P. Arriola  
ANITA P. ARRIOLA